



IFW

# CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited in the United States Postal Service as first class mail in the envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia, 22313-1450, on

6-14-04

Date of Deposit

John F. Kane  
Attorney

44,815

Reg. No.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Applicant : David B. Wiley et al.  
Appln. No. : 10/658,075  
Filed : September 9, 2003  
Title : COMPOSITION AND METHOD FOR ENHANCING THE  
BIOAVAILABILITY OF CALCIUM AND MAGNESIUM IN  
DIETARY SUPPLEMENTS AND FOOD ADDITIVES  
Docket No. : 632898-042  
Art Unit : 1761

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §1.56, the Examiner's attention is directed to the references listed on the attached Information Disclosure Citation. Copies of pending U.S. Application No. 10/667,283 and all non-patent literature references are provided herewith.

It is to be understood that the present submission of art is in no way intended to be a waiver of any arguments or defenses available to the applicant under the rules of the U.S. Patent and Trademark Office and the statutes of the United States.

No fee is required. The Commissioner is authorized to charge any additional fees required by this paper or to credit any overpayment to Deposit Account No. 20-0809.

Respectfully submitted:

By: John F. Kane  
John F. Kane  
Reg. No. 44,815

Application No.: 10/658,075  
Docket No.: 632898-042  
Information Disclosure Statement



THOMPSON HINE LLP  
2000 Courthouse Plaza N.E.  
10 West Second Street  
Dayton, Ohio 45402-1758  
Telephone: (937) 443-6816  
Facsimile: (937) 443-6635

#344062



Docket: 632898-042	Appln. No.: 10/658,075
Applicant: David B. Wiley et al.	
Filed: September 9, 2003	Group: 1761

## U.S. PATENT DOCUMENTS

Examiner	Document No.	Date	Name	Class	Sub	
	10/667,283	09/2003	Dobbins et al.			
	6,498,247	12/2002	Evans et al.			
	6,291,525	09/2001	Nissen			
	6,287,607	09/2001	Pak et al.			
	6,235,322	05/2001	Lederman			
	6,103,764	08/2000	Nissen			
	5,851,578	12/1998	Gandhi			
	5,639,502	06/1997	Behringer et al.			
	5,500,232	03/1996	Keating			
	5,474,793	12/1995	Meyer et al.			
	5,468,506	11/1995	Andon			
	5,445,837	08/1995	Burkes et al.			
	5,422,128	06/1995	Burkes et al.			
	5,401,524	03/1995	Burkes et al.			
	5,389,387	02/1995	Zuniga et al.			
	5,360,613	11/1994	Nissen			
	5,348,979	09/1994	Nissen et al.			
	5,314,919	05/1994	Jacobs			
	5,219,889	06/1993	Walsdorf et al.			
	5,151,274	09/1992	Saltman et al.			

Examiner:

Date Considered:

\* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

INFORMATION DISCLOSURE CITATION

Page 2 of 4

Docket: 632898-042	Appln. No.: 10/658,075
Applicant: David B. Wiley et al.	
Filed: September 9, 2003	Group: 1761

U.S. PATENT DOCUMENTS

Examiner		Document No.	Date	Name	Class	Sub	
		5,118,513	06/1992	Mehansho et al.			
		5,075,499	12/1991	Walsdorf et al.			
		5,028,446	07/1991	Saleeb et al.			
		4,994,283	02/1991	Mehansho et al.			
		4,992,470	02/1991	Nissen			
		4,992,282	02/1991	Mehansho et al.			
		4,985,593	01/1991	Walsdorf et al.			
		4,871,554	10/1989	Kalala et al.			
		4,867,977	09/1989	Gailly et al.			
		4,851,221	07/1989	Pak et al.			
		4,830,862	05/1989	Braun et al.			
		4,814,177	03/1989	Walsdorf et al.			
		4,737,375	04/1988	Nakel et al.			
		4,722,847	02/1988	Heckert			
		4,551,342	11/1985	Nakel et al.			
		4,185,093	01/1980	Carnes et al.			
		3,903,297	09/1975	Robert			

Examiner:	Date Considered:
-----------	------------------

\* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

## INFORMATION DISCLOSURE CITATION

Page 3 of 4

Docket: 632898-042	Appln. No.: 10/658,075
Applicant: David B. Wiley et al.	
Filed: September 9, 2003	Group: 1761

## FOREIGN PATENT DOCUMENT

							Trans	
Examiner		Document No.	Date	Country	Class	Sub	Y	N

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Sutton, R.A. et al., "Disturbances of Calcium and Magnesium Metabolism," in Brenner, B.M. et al., eds., <i>The Kidney</i> (Philadelphia: W.B. Saunders Co., 1991, 4 <sup>th</sup> edition), pp. 841-887
	Monk, R.D. et al., "Treatment of Calcium, Phosphorus, and Magnesium Disorders," in Brady, H.R. et al., eds., <i>Therapy in Nephrology and Hypertension: A Companion to Brenner and Rector's The Kidney</i> (Philadelphia: W.B. Saunders Co., 1999), pp. 303-315
	Shane, E., "Hypercalcemia: Pathogenesis, Clinical Manifestations, Differential Diagnosis, and Management," in Favus, M.J., <i>Primer on the Metabolic Bone Diseases and Disorders of Mineral Metabolism</i> (Lippincott-Raven, 1996, 3 <sup>rd</sup> ed.), pp. 177-181
	Hruska, K.A., et al., "Hyperphosphatemia and Hypophosphatemia," in Favus, M.J., <i>Primer on the Metabolic Bone Diseases and Disorders of Mineral Metabolism</i> (Lippincott-Raven, 1996, 3 <sup>rd</sup> ed.), pp. 238-245
	Reber, P.M. et al., "Hypocalcemic Emergencies," in <i>Medical Clinics of North America</i> 79(1), pp. 93-106 (01/1995)
	Tohme, J.F. et al., "Hypocalcemic Emergencies," in <i>Endocrinology and Metabolism Clinics of North America</i> , 22(2), pp. 363-375 (06/1993)
	Pak, C.Y.C., "Calcium Disorders: Hypercalcemia, and Hypocalcemia," in Kokko, Juha P., and Tannen, Richard L., <i>Fluids and Electrolytes</i> (Philadelphia: W.B. Saunders, 1990), pp. 596-629
	Bushinsky, D.A. et al., "Calcium," <i>The Lancet</i> , 352, pp. 306-311 (07/1998)
	Greco, R.J. et al., "Hydrofluoric Acid-induced Hypocalcemia," <i>Journal of Trauma</i> , 28(11), pp. 1593-1596 (1988)

Examiner:	Date Considered:
-----------	------------------

\* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

## INFORMATION DISCLOSURE CITATION

Page 4 of 4

Docket: 632898-042	Appln. No.: 10/658,075
Applicant: David B. Wiley et al.	
Filed: September 9, 2003	Group: 1761

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Treviño, M.A. et al., "Treatment of Severe Hydrofluoric Acid Exposures," <i>Journal of Occupational Medicine</i> , 25(12), pp. 861-863 (12/1983)
	White, Jr., J.W., "Hydrofluoric Acid Burns," <i>Cutis</i> , 34, pp. 241-244 (09/1984)
	Bertolini, J.C., "Hydrofluoric Acid: A Review of Toxicity," <i>Journal of Emergency Medicine</i> 10, pp. 163-168 (1992),
	Block, E., "Manipulation of Dietary Cation-Anion Difference on Nutritionally Related Production Diseases, Productivity, and Metabolic Responses of Dairy Cows," <i>Journal of Dairy Science</i> (1984), 67:2939; <i>Journal of Dairy Science</i> , (1994), Vol. 77, No. 5, pp. 1437-1450
	Fenwick, D.C., "Limitations to the Effectiveness of Subcutaneous Calcium Solutions as a Treatment for Cows with Milk Fever," <i>Veterinary Record</i> , 134, pp. 446-448 (04/1994)
	Pak, C.Y.C. et al., "Enhanced Calcium Bioavailability from a Solubilized Form of Calcium Citrate," <i>Journal of Clinical Endocrinology and Metabolism</i> , 65(4), pp. 801-805 (1987)
	Sousa, M.F. et al., "Calcium Beta-Hydroxy-Beta-Methylbutyrate: Potential Role as a Phosphate Binder in Uremia," <i>Nephron</i> , 72, pp. 391-394 (1996)
Examiner:	Date Considered:

\* Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.